Department of Justice Canada

2011-12

Report on Plans and Priorities

The Honourable Rob Nicholson
Minister of Justice and Attorney General of Canada

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MINISTER'S MESSAGE

Report on Plans and Priorities 2011-2012

I am pleased to present the Department of Justice's strategic plan for 2011-2012.

This document outlines how the Department will serve Canadians and meet its strategic outcomes – a fair, relevant and accessible justice system that reflects Canadian values; and a federal government that is supported by effective and responsive legal service.

Over the coming year, the Department will contribute its expertise in support of our Government's priority of better protecting Canadians. This will include legislative initiatives to protect our children from sexual offenders and promote fairness for victims of crime. As well, in the interests of ensuring that justice is delivered swiftly and effectively, our Government, with the assistance of the Department, will work to improve criminal procedures to reduce the number of long, drawn-out trials.

As the Government of Canada enters a period of expenditure restraint, the Department of Justice will do its part toward ensuring respect for taxpayer dollars. We have also committed to remaining transparent and accountable to Parliament and Canadians through reporting on the Department's contributions to the Federal Sustainable Development Strategy.

I look forward to continuing to work with our partners in all levels of government, non-governmental organizations, the legal community, and with Canadians from all walks of life, toward fulfilling this plan over the coming year.

The Honourable Rob Nicholson
Minister of Justice and Attorney General of Canada

SECTION I: DEPARTMENTAL OVERVIEW

Raison d'être

The Mission of the Department of Justice is to:

- support the Minister of Justice in working to ensure that Canada is a just and law-abiding society with an accessible, efficient and fair system of justice;
- provide high-quality legal services and counsel to the government and to client departments and agencies; and
- promote respect for rights and freedoms, the law and the Constitution.

Responsibilities

The Department of Justice is headed by the Minister of Justice and Attorney General of Canada. The responsibilities associated with the dual role of Minister of Justice and Attorney General are set out in the *Department of Justice Act* and some 49 other Acts of Parliament. The Department of Justice fulfills three distinctive roles within the Government of Canada, acting as:

- a policy department with broad responsibilities for overseeing all matters relating to the administration of justice that fall within the federal domain;
- a provider of a range of legal advisory, litigation and legislative services to government departments and agencies; and
- a central agency responsible for supporting the Minister in advising Cabinet on all legal matters.

Organizational Information

The Department of Justice is a medium-sized department with approximately 5,000 employees. Roughly one half of departmental staff are lawyers who provide legal services to client departments and agencies. The other half are made up of committed professionals in a range of fields including paralegals, social scientists, program managers, communications specialists, administrative services personnel, computer service professionals and financial officers. There are approximately 3,000 employees located in the National Capital Region and another 2,000 employees representing a strong regional presence through six regional offices positioned across the country.

Contribution to the Federal Sustainable Development Strategy

The Department of Justice is a participant in the Federal Sustainable Development Strategy (FSDS). Its active involvement in Theme IV: *Shrinking the Environmental Footprint – Beginning with Government* is further explained in **Section II**, under Internal

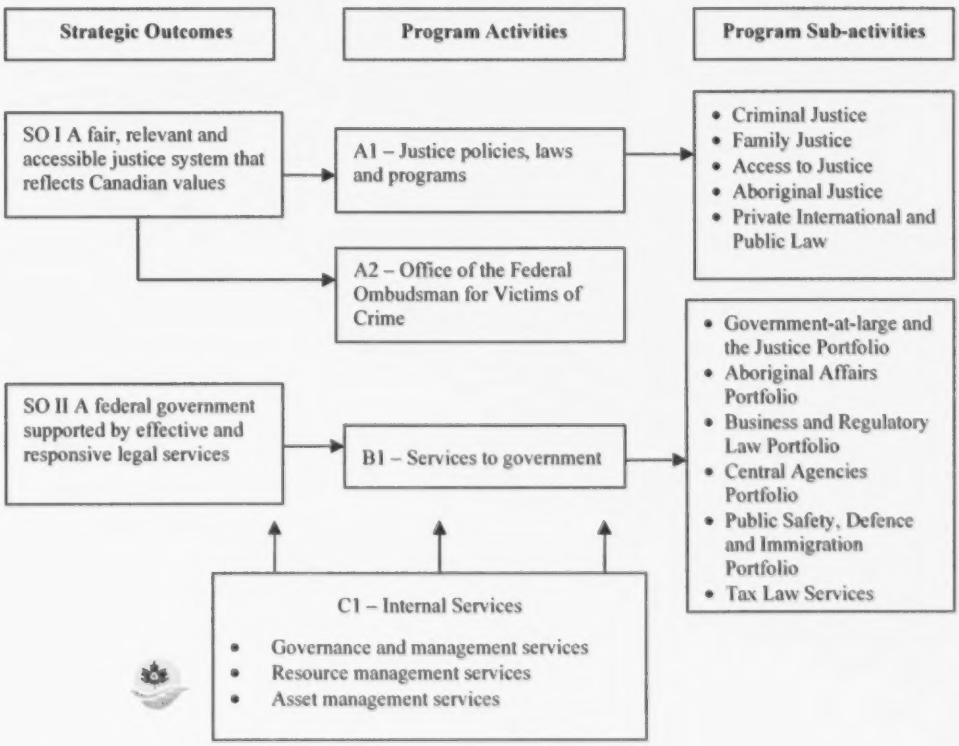
Services (PA C1). This logo is used throughout the RPP to indicate departmental activities that contribute to Theme IV of the FSDS[1].

Strategic Outcomes and Program Activity Architecture

The Department of Justice's two strategic outcomes reflect the dual role of the Minister of Justice and Attorney General of Canada. The Minister of Justice is concerned with questions of policy, particularly as these relate to his role as a steward of the Canadian justice system. The Attorney General is the chief law officer for the Crown.

The graphic representation of the Program Activity Architecture (PAA) provided below presents an overview of the activities and programs for which the Department is responsible[2]. In describing the links between these activities, the PAA illustrates how the programs are intended to provide results for Canadians.

Department of Justice Program Activity Architecture


Strategic Outcomes
Program Activities
Program Sub-activities
SO I A fair, relevant and accessible justice system that reflects Canadian values
A1 – Justice policies, laws and programs
A2 – Office of the Federal Ombudsman for Victims of Crime
• Criminal Justice
• Family Justice
• Access to Justice
• Aboriginal Justice
• Private International and Public Law
SO II A federal government supported by effective and responsive legal services
B1 – Services to government
• Government-at-large and the Justice Portfolio
• Aboriginal Affairs Portfolio
• Business and Regulatory Law Portfolio
• Central Agencies Portfolio
• Public Safety, Defence and Immigration Portfolio
• Tax Law Services
C1 – Internal Services
• Governance and management services
• Resource management services
• Asset management services

[1] For complete details on the Federal Sustainable Development Strategy, please see the Web site: http://www.ec.gc.ca/dd-sd/default.asp?lang=En&n=C2844D2D-1.

[2] The Federal Ombudsman for Victims of Crime tables annual reports to Parliament separately through the Minister of Justice. For further information on the Ombudsman's Office, please consult the Web site: http://www.victimsfirst.gc.ca/index.html.

Planning Summary

Financial Resources (in millions of dollars)

2011–12	2012–13	2013–14
$772.2	$715.2	$710.3

Note: Financial resources are based on Main Estimates and exclude respendable revenue. In addition, the estimated amount of Paylist requirements for all three years and the approximate amount of Operating Budget Carry-Forward for 2011-12 are included in the planned spending.

Human Resources (in full-time equivalents – FTE)

2011–12	2012–13	2013–14
5,272	5,272	5,272

Strategic Outcome I: A fair, relevant and accessible justice system that reflects Canadian values	
Performance Indicators	**Targets**
• Public confidence in the justice system	• Level of public confidence in the justice system remains stable or improves
• Canada's international ranking on whether or not justice is fairly administered	• Canada's high relative international ranking on justice issues is maintained or improved
• Number of bills tabled in Parliament by the Minister of Justice	• The Minister's legislative agenda is largely driven by Parliamentary business. The Department seeks to fully support the Minister, however the identification of numerical targets is not possible.

(in millions of dollars)

Program Activity	Forecast Spending 2010–11	Planned Spending			Alignment to Government of Canada Outcomes
		2011–12	2012–13	2013–14	
A1 Justice Policies, Laws and Programs	$440.3	$432.0	$400.3	$395.6	A safe and secure Canada
A2 Office of the Federal Ombudsman for Victims of Crime	$1.4	*	*	*	
Total Planned Spending	-	$432.0	$400.3	$395.6	

*Note: The funding profile for the Office of the Federal Ombudsman reflects that the initiative is currently scheduled to sunset at the end of fiscal year 2010-11 however, its renewal is being sought by the Department.

Strategic Outcome II: A federal government that is supported by effective and responsive legal services	
Performance Indicators	**Targets**
• Client feedback on the quality of legal advisory, litigation, legislative and regulatory drafting services • Client feedback on Department of Justice performance against service standards* for the delivery of legal services	• Attain a mean score of at least 8.0 / 10 on each item for which client feedback is obtained

*Note: For our service standards, see: http://www.justice.gc.ca/eng/dept-min/service.html

(in millions of dollars)

Program Activity	Forecast Spending 2010–11	Planned Spending			Alignment to Government of Canada Outcomes
		2011–12	2012–13	2013–14	
B1 Services to government	$188.4	$203.8	$192.7	$192.7	Government affairs – Ensuring well-managed and efficient government operations
Total Planned Spending	-	$203.8	$192.7	$192.7	

Note: Forecast and planned spending of Services to government excludes respendable revenue. Planned spending for 2011-12 includes the estimated amount of Operating Budget Carry-Forward to be allocated to this program activity.

(in millions of dollars)

Program Activity	Forecast Spending 2010–11	Planned Spending		
		2011–12	2012–13	2013–14
C1 Internal Services	$146.3	$136.4	$122.3	$122.1
Total Planned Spending	-	$136.4	$122.3	$122.1

Note: Forecast and planned spending of Internal Services excludes respendable revenue. In addition, the estimated amount of Paylist requirements for all three years and the approximate amount of Operating Budget Carry-Forward for 2011-12 are included in the planned spending.

Contribution of Priorities to Strategic Outcome(s)

Operational Priorities	Type	Links to Strategic Outcome(s)	Description
Development of law reform proposals to support Government priority of better protecting Canadians	Ongoing	SO I	Law reform proposals will include: supporting the passage of law reforms to better protect children from sexual offenders; developing security and anti-terrorism legislative reform proposals; and supporting the passage of law reform to improve criminal procedure to reduce long drawn-out trials.
Active participation in initiatives to support Government priority of better protecting Canadians and promoting initiatives to respond to the concerns of victims of crime	Ongoing	SO I	Key initiatives will include: a roll-out of the *Victims Fund* through provinces, territories and non-governmental organizations for services dedicated to child victims and witnesses and Aboriginal women victims; and support for initiatives to safeguard Canada's national security, including modernizing judicial tools to fight terrorism.
Direct and indirect support for implementation of all Government priorities	Ongoing	SO II	Critical legal services will be provided to support client departments in implementing government priorities in the four core government spending areas - Economic Affairs, Social Affairs, International Affairs and Government Affairs - and in supporting initiatives in Budget 2011.
Management Priorities	**Type**	**Links to Strategic Outcome(s)**	**Description**
Public Service Renewal	Ongoing	SO I SO II	The Department is taking concrete steps to renew, develop and sustain a representative workforce to meet its business goals now and in the future.
Implementation of the Law Practice Model for the delivery of legal services across government	Ongoing	SO II	The Department has developed a comprehensive strategy to meet the Law Practice Model targets. Implementation is taking place according to plans and full implementation is to be completed during 2011-12. The Department is taking steps to get input from clients and employees in order to manage demand for legal services and increase efficiencies.
Sustainable development	Ongoing	SO I SO II	The Department will continue to establish departmental priorities, accountabilities, targets, timelines and reporting requirements in line with and in support of the Government-wide strategy to become a model of environmental excellence.

Risk Analysis

Risks to Justice policies, laws and programs

Many factors influence our operating environment and thus pose potential risks to our capacity to deliver effectively on Justice policies, laws, and programs. Primary among these is the ability to address funding challenges in light of current fiscal pressures and realities. A second area of risk is the increasingly complex and variable policy process which is challenging our ability to develop long-term policy options. This complex operating environment affects partnerships required for effective justice policy development and program delivery.

To mitigate these risks, we are strengthening our business planning and budgeting to ensure that our finances are aligned with our high priority programs. We are taking steps to realign human resources to better address the shifting workload demands that result from the increasingly complex and more demanding policy process, including the requirements to consult and to incorporate gender-based analysis and sustainable development considerations. Finally, in recognition that the justice system is multi-tiered and influenced by many stakeholders, we are continuing our efforts to maintain and expand open dialogue with partners from across the justice spectrum to develop innovative ideas about how to strengthen the justice system while respecting Canadian values.

Risks to Legal services to government

There are four interrelated areas of risks that can have significant impacts on our capacity to deliver high-quality legal services to the government. The first area concerns succession planning and our ability to recruit and retain highly skilled legal professionals in a competitive environment. In response, we are continuing with initiatives to renew our workforce in light of significant demographic shifts in Canada, including the aging of the workforce and the increasingly diverse Canadian population.

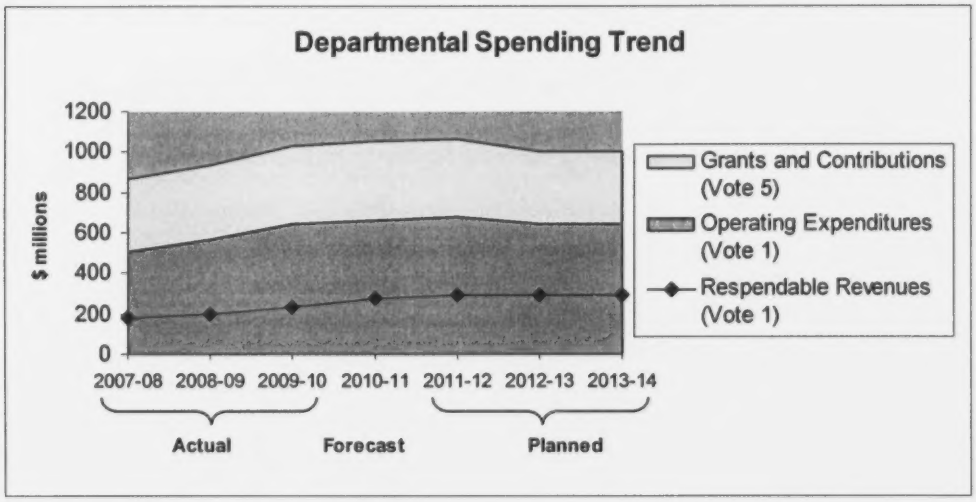
The second area of risk pertains to capacity issues facing departmental corporate functions that support the delivery of legal services particularly in light of increasing demands for specialized and complex legal services. To mitigate this risk, the Department, through the administrative footprint exercise, is monitoring and assessing capacity with a view to ensuring balance across the Department.

The third risk area relates to our capacity to address the rapid changes in law practice management — particularly the sheer growth in the speed and volume of information that is crucial to effective management. In this regard, the Department is focusing on developing and enhancing tools, systems, processes and skills to support effective case management, knowledge management, legal risk management, dispute prevention and resolution, and quality assurance of legal services. This involves business alignment and prioritization of departmental information management and information technology initiatives.

The fourth risk relates to the Department's significant reliance on cost recovery to fund the legal services it provides to federal departments and agencies. In the context of fiscal restraint, all departments must reduce expenditures. This may result in downward pressure on the funding departments provide to Justice for legal services those departments receive in support of their efforts to manage their legal risk. To mitigate this risk the Department of Justice is working internally to achieve further efficiencies in its law practice model, and is working with clients to help them find sound ways of lowering their demand for legal services.

Expenditure Profile

As depicted in the chart below, the Department's net planned spending (excluding re-spendable revenue) for 2011-12 is expected to continue with the declining trend. The decline from 2011-2012 mainly reflects the impacts of the continued implementation of Budget 2010 cost containment measures and the sun setting of some initiatives.



Justice has Net Vote Authority that allows the Department to collect revenues from other government departments and agencies for the provision of legal advisory, litigation and legislative services, and to re-spend the revenue collected. Effective 2010-11, the Net Vote Authority of the Department has increased by $75.0M to $290.0M, which is offset by increased expenditures incurred to meet increased demand for legal services.

In 2008-09, the Department's year-over-year net spending (excluding re-spendable revenue) increased by $51.0M. These additional costs supported the implementation of programs to promote access to the justice system in both official languages, provide legal aid for those facing charges under the *Public Safety and Anti-Terrorism Act*, and support the National Anti-Drug Strategy.

The Department's net spending increased by $61.4M in 2009-10. About $40.0M was provided to the Department as one-time funding to meet the financial implications resulting from the arbitral award granted to the Law Group. The Department received an

additional $6.2M to cover the economic wage increases of other collective agreements that were ratified.

The projected net spending in 2010-11 is expected to decline compared to 2009-10. Even though $13.7M was received in 2010-11 to meet the collective agreement requirements of the excluded members of the Law Group, the net effect is a decrease in adjustments related to economic wages increases in 2010-11 compared to 2009-10. The implementation of the cost-containment measures announced in Budget 2010 is also contributing to the decline in forecasted spending. In addition, the increase in spending associated with the provision of legal services is offset by the higher re-spendable revenue anticipated.

In fiscal year 2011-12, the Department plans to spend $432.0M to promote a fair, relevant and accessible justice system that reflects Canadian values; $203.8M (excluding re-spendable revenue of $270M) to ensure that the federal government is supported by effective and responsive legal services; and $136.4M (excluding re-spendable revenue of $20M) for internal support services.

Estimates by Vote

Vote or Statutory Item	Truncated Vote or Statutory Wording	2010-11 Main Estimates ($ millions)	2011-12 Main Estimates ($ millions)
1	Operating expenditures	258.7	266.6
5	Grants and contributions	386.9	388.1
(S)	Contributions to employee benefit plans	66.6	82.8
(S)	Minister of Justice salary and motor car allowance	0.1	0.1
Total Department of Justice		**$712.3**	**$737.6**

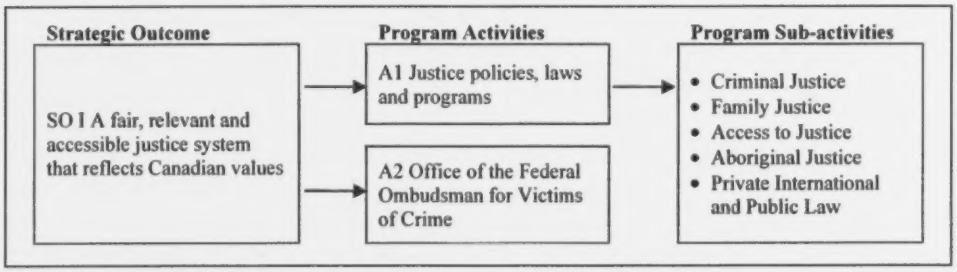
Note: Main Estimates exclude funds provided under Net Voting Authority (respendable revenue received from other government departments and agencies.

Estimates by Vote are presented in the 2011–12 Main Estimates, which are available from the Treasury Board Web site:

http://www.tbs-sct.gc.ca/est-pre/20112012/me-bpd/info/info-eng.asp.

SECTION II: ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOMES

Strategic Outcome I: A fair, relevant and accessible justice system that reflects Canadian values


Strategic Outcome
SO I A fair, relevant and accessible justice system that reflects Canadian values
Program Activities
A1 Justice policies, laws and programs
A2 Office of the Federal Ombudsman for Victims of Crime
Program Sub-activities
• Criminal Justice
• Family Justice
• Access to Justice
• Aboriginal Justice
• Private International and Public Law

The responsibility for a fair, relevant and accessible justice system that reflects Canadian values does not lie with the Department of Justice alone. Rather, it involves a broad range of institutions and organizations, including Parliament, the judiciary, and federal departments and agencies; our partners in the provincial and territorial governments; a broad range of non-governmental organizations and stakeholders; and, ultimately, all Canadians.

The Department plays a major part by carrying out its fundamental role in establishing, maintaining and refining the national legal framework. It also exercises a leadership role in consulting and collaborating with federal, provincial, territorial and non-governmental partners to identify and address issues that affect the fairness, accessibility and relevance of the Canadian justice system.

This Strategic Outcome is supported by two program activities: Justice policies, laws and programs and the Office of the Federal Ombudsman for Victims of Crime.

Program Activity A1: Justice policies, laws and programs

Overview

Under Canada's federal system, the administration of justice is an area of shared jurisdiction between the federal government and the provinces and territories. Through this program activity, the Department fulfills its constitutional responsibility to ensure a bilingual and bijural national legal framework for the administration of justice by developing policies, laws and programs to strengthen the national framework. The Department's focus is in five core domains that include criminal justice, family justice, access to justice, Aboriginal justice, and private international and public law.[1] As well, in recognition of the federal government's shared interest in a sustainable justice system, the Department provides significant ongoing funding to provinces and territories to support them with the delivery of programs that directly support federal policy objectives, including legal aid, youth justice services, and Aboriginal justice services.

Human Resources (FTEs) and Planned Spending ($ millions)					
2011–12		2012–13		2013–14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
383	$432.0	383	$400.3	383	$395.6

Program Activity and Key Sub- Activity Expected Results	Performance Indicators*	Performance Measurement Strategy
Sustainable national justice system	• Per capita spending by all levels of government in Canada on the justice system • Lag time from charges to court resolution • Crime index	Analysis of data from Statistics Canada (Canadian Centre for Justice Statistics) and data collected by the Department of Justice as reference points for those indicators.
Criminal law is reformed to respond to emerging issues	• Average length of a case • Sentence by type and length	Analysis of data from Statistics Canada – Canadian Centre for Justice Statistics
Canadians have a positive perception of the criminal justice system	• Self-reported victimization • Public perceptions of personal safety • Public perceptions of the justice system	
Increased compliance by parents with the terms and conditions of family support, custody and access obligations	• Rates of compliance/non-compliance with family law obligations	Analysis of data from the Survey of Maintenance Enforcement Programs
Equitable access to the Justice System	• Number of stays in proceedings due to lack of counsel • Number of instances of court ordered counsel	Department of Justice file review
Increased involvement of Aboriginal communities in the local administration of justice	• Number of communities with Aboriginal Justice Strategy projects • Number of communities undertaking capacity building and training to support the administration of justice programs (year-over-year data)	Analysis of data from the Department of Justice Grants and Contributions Information Management System

*Note: A sustainable national justice system is a shared responsibility between federal, provincial, territorial and municipal governments. As such, the Department of Justice Canada is not in the position to set targets for these indicators.

Planning Highlights for 2011-12

The following are highlights of some of the key activities in which the department will be actively engaged during 2011-12 in support of the expected results.

Criminal Justice:

- Provide legal and legal policy advice, and develop law reform proposals, research plans and measures in support of the government's priorities to improve public safety, which include a variety of activities: supporting the progress and passage of key law reform bills, strengthening sentencing, supporting the government's security and anti-terrorism initiatives, and improving criminal procedure;
- Provide advice on the review of the *Youth Criminal Justice Act* and any resulting legislative, policy, and/or program reforms;
- Continue to lead the interdepartmental National Anti-drug Strategy and to implement Justice Canada components of the Strategy;
- Implement new funding arrangements with the provinces and territories under the Youth Justice Services Funding Program;
- Continue to provide financial contributions to provinces and territories to assist them in delivering Youth Justice Services and Intensive Rehabilitation Custody Supervision Programs;
- Implement a renewed Victims Strategy for 2011-2016 and ongoing;
- Roll-out Victims Fund funding through provinces, territories and NGOs for services dedicated to child victims and witnesses and Aboriginal women victims;
- Continue to implement the Government of Canada's Initiative on Missing and Murdered Aboriginal Women;
- Support the passage of legislative initiatives to better protect children from sexual offenders;
- Work with international partners and continue to provide technical assistance to other countries (through CIDA and DFAIT funded projects) to ensure that domestic legal frameworks adequately support international efforts to combat crime, including organized crime and terrorism;
- Work with international partners to ensure international legal frameworks adequately combat crime, including organized crime and terrorism and with Canadian and United States partners to enhance cross-border law enforcement cooperation.

Family Justice:

- Continue to implement the Supporting Families Initiative (SFI) through family justice services funding agreements with provinces and territories and Public Legal Education and Information (PLEI) project agreements with non-government organizations;
- Strengthen Family Law Assistance Services operations to better meet the demands for service, including systems upgrade for Central Registry Divorce Proceedings and *Family Orders and Agreements Enforcement Assistance Act*;
- Continue working with provinces, territories and NGOs to promote compliance with child custody, access and family support orders;
- Lead implementation of Justice Canada initiatives under the federal Elder Abuse Initiative (2008-2011) and conduct public opinion research to support the evaluation and possible renewal;
- Implement activities in support of the 2010 budget commitment to address the Murdered and Missing Aboriginal Women, including the creation of a national compendium of promising practices and the development of PLEI materials;
- Work with ethno-cultural communities on pilot projects and adapt PLEI materials relating to family violence to include honour-based violence;

Access to Justice:

- Continue to work in collaboration with provinces and territories to develop a sustainable criminal legal aid strategy including adult and youth justice criminal legal aid, immigration and refugee legal aid, public security and anti-terrorism legal aid and funding for court-ordered defence counsel in federal prosecutions;
- Renew the Legal Aid Program and continue to provide financial contributions to provinces and territories to assist them in delivering legal aid to Canadians;
- Develop policy responses as it pertains to the Special Advocate Regime in response to law reform proposals;
- Continue to implement the training component of the Access to Justice in Both Official Languages Support Fund;
- Continue to work with provincial/territorial governments to ensure successful implementation of the *Contraventions Act*;

Aboriginal Justice:

- In collaboration with federal, provincial, territorial, Aboriginal and community justice partners, design and implement Aboriginal Justice Strategy renewal beyond 2012;
- In collaboration with federal, provincial, territorial and ACW service delivery agencies, continue work on the ACW renewal strategy;
- Continue work on case studies and community trends analyses as well as a recidivism study to support the AJS summative evaluation which is expected to be completed in 2011-12;
- Complete on-line mapping of AJS and ACW programs;
- Continue work with provincial and territorial government counterparts on programs and initiatives intended to address victimization and violence experienced by Aboriginal people as well as their over-representation in the criminal justice system.

Benefits for Canadians

Canadians rely on the justice system to prescribe the balance between collective and individual rights and responsibilities that ensure a safe, secure and resilient society. The justice system affects almost every facet of Canadians' daily lives, from guiding everyday activities that ensure our safety, to supporting social policies and social benefits, regulating our economy, and offering ways to resolve disputes peacefully where there are disagreements or conflicts between individuals, organizations or governments.

Program Activity A2: Office of the Federal Ombudsman for Victims of Crime

Human Resources (FTEs) **and Planned Spending** ($ millions)					
2011–12		**2012–13**		**2013–14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
*	*	*	*	*	*

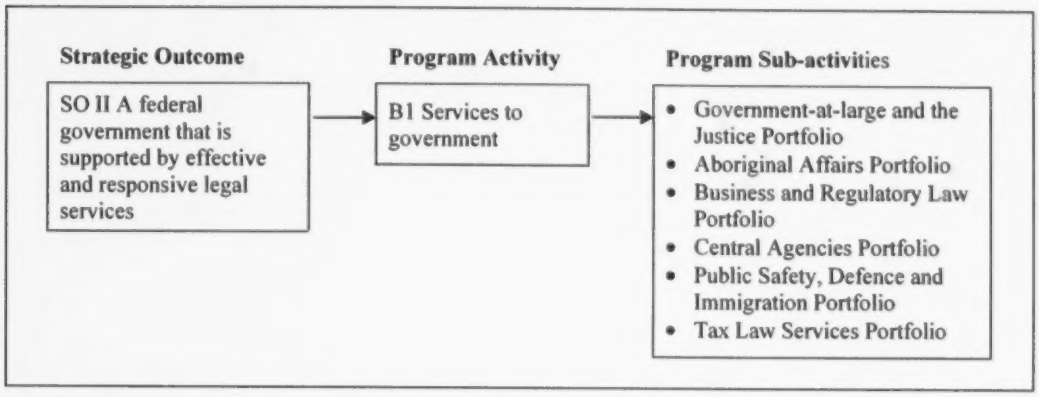
*Note: The funding profile for the Office of the Federal Ombudsman reflects that the initiative is currently scheduled to sunset at the end of fiscal year 2010-11 however, its renewal is being sought by the Department.

Overview

The Office of the Federal Ombudsman for Victims of Crime operates at arm's length from the federal departments responsible for victim issues and reports directly to the Minister of Justice. The mandate of the Federal Ombudsman for Victims of Crime relates exclusively to matters of federal responsibility and includes:

- promoting and facilitating access by victims to existing federal programs and services by providing them with information and referrals;
- addressing victims' complaints about compliance with the provisions of the *Corrections and Conditional Release Act* that apply to victims of offenders under federal supervision and providing an independent resource for those victims;
- promoting awareness among criminal justice personnel and policy makers of the needs and concerns of victims and the applicable laws that benefit victims of crime, including the principles set out in the *Canadian Statement of Basic Principles of Justice for Victims of Crime* with respect to matters of federal jurisdiction;
- identifying and reviewing emerging and systemic issues that may have a negative impact on victims of crime.

Strategic Outcome II: A federal government that is supported by effective and responsive legal services


Strategic Outcome
SO II A federal government that is supported by effective and responsive legal services
Program Activity
B1 Services to government
Program Sub-activities
• Government-at-large and the Justice Portfolio
• Aboriginal Affairs Portfolio
• Business and Regulatory Law Portfolio
• Central Agencies Portfolio
• Public Safety, Defence and Immigration Portfolio
• Tax Law Services Portfolio

Under the *Department of Justice Act*, the Minister of Justice and Attorney General provides legal services to the federal government and its departments and agencies. Under section 4 of the *Act*, the Minister is the legal member of the Queen's Privy Council responsible for seeing that the administration of public affairs is in accordance with the law. Additionally, under section 4.1, the Minister is responsible for examining all government regulations prior to registration pursuant to the *Statutory Instruments Act* and all government bills prior to tabling in Parliament to ensure conformity with the *Charter of Rights and Freedoms*. Under section 5 of the *Act*, the Attorney General is responsible for advising the heads of government departments on all matters of law and for conducting all litigation for any federal department or agency of the Crown in respect of any subject within the authority or jurisdiction of Canada.

The Department seeks to accomplish this strategic outcome through one program activity - Services to Government.

Program Activity B1: Services to Government

Overview

The Department provides an integrated suite of legal advisory, legislative and regulatory drafting and litigation services to assist departments and agencies in meeting their policy and programming priorities and to advance the overall objectives of the federal government. In delivering these services, the Department provides coherent and coordinated legal advice in the conduct of core and ongoing operations as well as legal awareness training across government, actively defends the Crown's interests before the courts and administrative tribunals, and drafts bills and regulations that give effect to government priorities.

Client departments and agencies have a shared accountability for the government's use of legal services. Consequently, the alignment of legal services to government priorities is achieved through annual joint Department of Justice and client department planning and prioritizing sessions for the provision of legal services and a shared understanding of the

volume of legal work and the impacts on legal risks. In addition, senior departmental officials regularly interact with their colleagues in client departments and in central agencies, and make adjustments from time to time to maintain the focus on government priorities.

The delivery of an integrated suite of legal advisory, litigation and legislative services through six portfolios[ii] is supported through:

- specialized legal capacities;
- a network of 42 departmental legal services units and 4 departmental regulation drafting sections, which are co-located with client departments and agencies; and,
- a network of regional offices and sub-offices providing legal advisory and litigation services to federal departments and agencies in the North, British Columbia, the Prairies, Ontario, Quebec, and the Atlantic provinces.

Human Resources (FTEs) and Planned Spending ($ millions)					
2011–12		**2012–13**		**2013–14**	
FTEs	**Planned Spending**	**FTEs**	**Planned Spending**	**FTEs**	**Planned Spending**
3,549	$203.8	3,549	$192.7	3,549	$192.7

Note: Planned spending excludes respendable revenue but it includes a portion of the estimated Operating Budget Carry Forward amount related to this program activity in 2011-12.

Program Activity Expected Results	**Performance Indicators**	**Targets**
Comprehensive delivery on the Government's legislative agenda	• Levels of effort dedicated to legislative files • Number of bills tabled in Parliament • Number of regulations published in the *Canada Gazette* • Number of motions to amend private members bills for which the Department was responsible	Legislative and regulatory drafting services are responsive to the Government's legislative agenda and to Parliamentary business. As such, the identification of numerical targets is not possible.
Legal advisory services to support the Government in attaining its priorities	• Levels of effort devoted to providing legal advisory services to government client organizations	Legal advisory services are responsive to client demand. The Department seeks to fully respond to demand, however, the identification of numerical targets is not possible.
Representing the Crown's interest to enable the Government to attain its priorities	• Levels of effort dedicated to litigation files • Trends in levels of assessed risk of the litigation inventory • Trends in the settlement of disputes through alternatives to litigation • Trends in Crown results for litigation files – final litigation outcome indicators	Litigation services are responsive to external drivers. The Department seeks to fully respond to demand, however, the identification of numerical targets is not possible.
Performance Measurement Strategy: Analyses of departmental timekeeping and case-management systems.		

Planning Highlights for 2011-12

The Department provides key legal support on a broad range of files, initiatives, programs and activities to government departments and agencies. The planning highlights below identify some key files and activities upon which the Department will be actively engaged in supporting our clients in implementing key Government priorities during 2011-12. The planning highlights are organized into the four broad areas of government spending used to report to Parliament and Canadians through the annual publication *Canada's Performance Report*[3]; specifically Economic Affairs, Social Affairs, International Affairs and Government Affairs.

Economic Affairs

- Providing legal support in the development of new initiatives for the delivery of on-line services to Canadians on key programs;
- Providing advice and support with respect to the effectiveness of the regulatory system of major resource projects;
- Supporting the work of the Cohen Commission of Inquiry into the decline of sockeye salmon in the Fraser River in British Columbia;
- Supporting key environmental initiatives such as limiting greenhouse gas emissions from the transportation and industrial sectors, enhancing enforcement authorities, providing support for statutory reviews, namely of *Species at Risk Act* (SARA) and of the *Canadian Environmental Protection Act*, 1999 (CEPA);
- Supporting Indian and Northern Affairs Canada and the Federal Government in fulfilling their strategic priority in implementing the new Framework on Aboriginal Economic Development;

Social Affairs.

- Developing the regulatory regime for the *Human Pathogens and Toxins Act*;
- Supporting the creation of more than 85,000 square kilometres of national parks and marine conservation areas, and creation of Pier 21 museum of immigration;
- Supporting ongoing efforts to reform corrections and parole;
- Supporting the Government and Indian and Northern Affairs Canada in managing issues arising from Aboriginal children's experiences outside of the Indian Residential Schools Settlement Agreement;
- Supporting Indian and Northern Affairs Canada in managing and implementing the Government's Action Plan on Specific Claims "Justice at Last" initiative;
- Supporting the Government of Canada and, in particular, Indian and Northern Affairs Canada, in its leadership role on Aboriginal consultation issues and in fulfilling the legal Duty to Consult.

International Affairs

- Advising on Canada's support to the Haiti Reconstruction Fund and the Haiti Action Plan for National Recovery and Development;
- Coordinating all requests for the extradition of fugitive criminals, gather criminal evidence and represent the interests of Canada's international treaty partners in all legal proceedings in Canadian courts pursuant to the *Extradition Act* and *Mutual Legal Assistance in Criminal Matters Act*;
- Providing legal assistance to Canada's treaty partners in criminal matters crossing national borders and facilitate obtaining criminal legal assistance abroad for Canadian prosecutorial and investigative agencies
- Managing sensitive national security litigation, including security certificates;
- Providing legal advisory services in support of the government's implementation of cyber security initiatives, including the national cyber security strategy;
- Defending Canada's interest in trade litigation.

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[3] http://www.tbs-sct.gc.ca/reports-rapports/cp-rc/index-eng.asp

Government Affairs

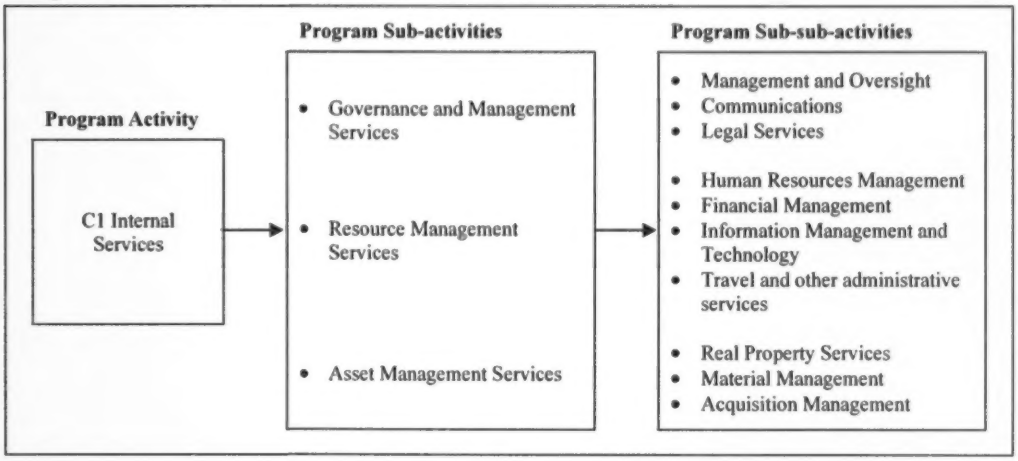
- Supporting the Government in seeking the opinion of the Supreme Court of Canada with regard to Parliament's authority to enact securities legislation and work with provinces and territories to establish a Canadian securities regulator;
- Supporting client departments in regulating the conduct of financial institutions and preparing for the financial institutions legislative review, securities regulation and legislation to support the stability of the Canadian financial sector;
- Supporting the Government and federal departments with the preparation of the Federal Budget and implementing legislation;
- Providing legal support on tax initiatives, such the harmonized sales tax revenue allocation framework in Ontario and British-Columbia and continue to improve the administration of various tax agreements with the provinces, territories and Aboriginal governments; and
- Assisting in the five-year review of legislation modified by the *Public Service Modernization Act*.

Benefits for Canadians

The Department supports the Attorney General as the chief law officer of the Crown in the ongoing operations of government and in the provision of legal advice for the Government and all federal departments and agencies. The Department represents the Crown in civil litigation and some criminal litigation, before courts and administrative tribunals. The Department also drafts legislation and regulations, and responds to the other legal needs of federal departments and agencies.

In so doing, the Department directly and indirectly supports the federal government by preparing new and ongoing programs and services to Canadians; by ensuring that decision makers are able to factor the legal implications into their chosen courses of action; and by defending the government's ability to continue to provide programs and services in the face of legal challenges.

Program Activity C1: Internal Services



Internal Services support the Department's two strategic outcomes. Internal Services are groups of related activities and resources that support the needs of programs and other corporate obligations of the Department. Treasury Board Secretariat has developed standardized categories for all federal organizations to use for reporting on these services. Internal Services include only those activities and resources that apply across an

organization, representing indirect overhead, and not those services provided directly to a specific program area.

Human Resources (FTEs) and Planned Spending ($ millions)					
2011–12		2012–13		2013–14	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
1,340	$136.4	1,340	$122.3	1,340	$122.1

Note: Planned spending excludes respendable revenue. However, it includes a portion of the estimated Operating Budget Carry Forward amount related to this program activity in 2011-12 and approximate Pay list amounts for all three years.

Planning Highlights for 2011-2012

The following provides highlights of some of the key internal services activities in which the Department will be engaged during 2011-12.

Public Service Renewal

- Continue to implement measures to foster innovation in the workplace to enable a more effective and strategic Department.
- Continue to embed integrated planning into departmental operations and culture, supported by the development and launch of a new departmental HR Management Plan.
- Implement recruitment strategies, including post-secondary, collective staffing, and enhancement of the Legal Excellence Program for the recruitment and development of articling students as well as a new National Legal Orientation Program.
- Promote employee development through enhanced legal skills training, leadership and management development, access to language training, talent management and succession planning and the development of a new on-line training system.
- Enhance tools, systems and processes to support effective knowledge and information management, legal risk management, dispute prevention and resolution and quality assurance of legal services, as well as collaborative and innovative work environments, with continued focus on public service values.
- Enhance departmental infrastructure (i.e. policy renewal, streamlining HR business processes, tools and support) to enable managers to meet their human resources management responsibilities.
- Enhance processes and infrastructure relating to cost recovery in order to streamline and standardize our revenue collection business processes.
- Continue to build on the departmental commitment to employment equity and diversity through the implementation of the Employment Equity Plan (2010-13).
- Continue to support Management in employee renewal by increasing our entry level complement in the Department as part of the Law Practice Model.
- Continue to implement the Values and Ethics Code for the Department.

Law Practice Management

- Continue implementing national policies, processes and tools to support legal risk management, legal knowledge management, dispute prevention and resolution, legal information and systems, quality assurance for legal services and gender-based analysis.
- Enable legal practitioners to better use technology to collaborate and harness new opportunities.

Investments in Systems

- Managing key investments in technology enabled projects to ensure integration of departmental

financial, case management, information management and procurement systems.

Sustainable Development – Greening Government Operations

- Reduce surplus electronic and electrical equipment
- Implement a print reduction strategy
- Promote green meetings
- Promote green procurement practices

SECTION III: SUPPLEMENTARY INFORMATION

Financial Highlights

The Future Oriented Financial Statements are available for review at the following Web link: http://www.justice.gc.ca/eng/dept-min/pub/rpp/2011/fofs-erp.html.

Supplementary Information Tables

All electronic supplementary information tables found in the 2011–12 Report on Plans and Priorities can be found on the Treasury Board of Canada Secretariat's web site at: http://www.tbs-sct.gc.ca/rpp/2011-2012/info/info-eng.asp.

- Details on Transfer Payment Programs (TPP)
- Greening Government Operations (GGO)
- Horizontal Initiatives
- Upcoming Internal Audits and Evaluations over the next three fiscal years
- Sources of Respendable and Non-Respendable Revenue

SECTION IV: OTHER ITEMS OF INTEREST

Sustainable Development

In accordance with the Federal Sustainable Development Strategy, the Department of Justice commits to providing more specific information on departmental sustainable development activities appropriate to the department's mandate.

For additional details on the Department of Justice's activities to support sustainable development, please see: http://www.justice.gc.ca/eng/pi/sd-dd/index.html.

Key Publications

The following information is available on the Department of Justice Web site:

Canada's System of Justice: http://canada.justice.gc.ca/eng/dept-min/pub/just/
Canada's Consolidated Statutes and Regulations: http://laws.justice.gc.ca/en/index.html
Department of Justice Organizational Chart: http://canada.justice.gc.ca/eng/dept-min/chart.html
Department of Justice Programs and Initiatives: http://canada.justice.gc.ca/eng/pi/index.html
Key Publications: http://canada.justice.gc.ca/eng/dept-min/pub/index.asp
Careers at Justice: http://canada.justice.gc.ca/eng/dept-min/recru/index.html

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[i]Section II Endnotes – Justice Policies, Laws and Programs:

Criminal Justice - The Department monitors trends in criminal law including youth justice, develops and implements options for criminal law reform, and provides a centre of expertise for criminal law and procedure, criminal justice policy, evidence law, sentencing, and victims' issues. Additionally, the Department provides various levels of funding to the provinces and territories to encourage support for federal and national youth justice priorities through the administration of justice. The Department also coordinates the federal Victims of Crime Strategy and works with the provinces and territories to develop policies and projects aimed at providing direct services to underserved victims of crime and achieving a better balance between the rights of victims and offenders. As well, the Department advances Canadian interests in the development of global anti-crime and counter-terrorism measures, and assists other countries with domestic crime problems that can affect the safety of Canadians at home.

Family Justice – The Department develops and implements policies, program initiatives and family law reforms in consultation with the provinces and territories. Specifically, the Department provides analysis, advice and litigation support in the areas of marriage (including the bans on polygamy, and forced marriage), divorce (including custody, access and child and spousal support), the enforcement of family obligations and inter-personal relationships (including common-law partners, adoption, and parental-child status). Additionally, the Department administers the Family Law Assistance Services, maintains the Central Registry of Divorce Proceedings, and supports enforcement services of the provincial and territorial Maintenance Enforcement Programs. The Department also administers the Justice component of the federal Family Violence Initiative which seeks to reduce the incidence of family violence in Canada.

Access to Justice – The Department works with provinces and territories and with non-governmental and community-based organizations to develop and implement policies and laws that enhance access to justice, including access to justice in both official languages, while respecting the diverse nature and needs of Canadians. In support of the Department's policy objective that both economically disadvantaged adults facing serious and/or complex criminal charges and youth charged under the *Youth Criminal Justice Act* should receive legal aid services, the Department provides funding to the provinces for criminal and immigration and refugee legal aid. In the territories, federal funding for criminal and civil legal aid is provided through access to justice services agreements that also integrate support for the Aboriginal Courtwork Program (ACW) and public legal education and information services.

Aboriginal Justice – The Department develops and implements policies, laws and programs aimed at addressing the needs of Aboriginal people in the justice system. Additionally, through the Aboriginal Justice Strategy and the Aboriginal Courtwork Program the Department seeks to enable Aboriginal communities to have increased involvement in the local administration of justice and by providing timely and effective services and alternatives to mainstream justice processes in appropriate circumstances.

Private International and Public Law - The Department fulfills the Minister's responsibilities related to a number of public law statutes, including the *Access to Information Act*, the *Privacy Act*, the *Judges Act*, the *Canadian Human Rights Act*, and statutes constituting the federal courts, the Tax Court and the Supreme Court. The Department supports the Minister in his portfolio responsibilities for such entities as the Information and Privacy Commissioners, the Canadian Human Rights Commission and Tribunal, the Canadian Judicial Council, the Courts Administration Service, the Commissioner for Federal Judicial Affairs and the Section 101 Courts. The Department also supports Canada's active participation in the work of international multilateral organizations, such as the Hague Conference on Private International Law, the United Nations Commission on International Trade Law (UNCITRAL), the International Institute for the Unification of Private Law (UNIDROIT) and the Organization of American States (OAS). In addition, it works toward the implementation of international private law instruments in Canada, with the cooperation of the Uniform Law Conference of Canada (ULCC).

[ii] Section II Endnotes – Services to Government:

The **Aboriginal Affairs Portfolio** provides expert legal advisory and litigation services and legal policy advice to the Crown and to client departments, notably Indian and Northern Affairs Canada (INAC), on a broad range of Aboriginal law issues that affect government as a whole, including: Aboriginal rights and title; duty to consult; treaty rights; the fiduciary relationship of the Crown with Aboriginal peoples; constitutional and *Charter* issues relating to Aboriginal law; and, more broadly, the role of the law in support of reconciliation between the Crown and Aboriginal Canadians.

The **Business and Regulatory Law Portfolio** provides expert legal advisory, litigation and legislative drafting services to more than 20 departments and agencies whose mandates share a regulatory or business focus. The Portfolio is involved in issues such as environmental protection, transportation regulatory matters, fisheries management, health protection, intellectual property, energy projects, cultural protection, and international development, among others.

The **Central Agencies Portfolio** provides integrated legal advisory, non-criminal litigation and drafting services with respect to: fiscal, economic, and tax issues; federal-provincial fiscal arrangements; financial services; social affairs; accountability; machinery of government; comptrollership; human resources management; labour and employment law; financial sector practices; financial institutions; banking; money laundering; terrorist financing; and Crown law issues. The Portfolio provides these services to the Department of Finance, the Treasury Board of Canada Secretariat, the Canada School of Public Service, the Public Service Commission, the Office of the Superintendent of Financial Institutions, the Financial Transactions and Reports Analysis Centre of Canada, and the Financial Consumer Agency of Canada.

The **Public Safety, Defence and Immigration Portfolio** provides strategic legal services to the following departments and agencies responsible for the defence and security of Canada and the safety of Canadians as well as for immigration and border management: the Department of National Defence, the Canadian Security Establishment, Public Safety Canada, the Canadian Security Intelligence Service (CSIS), the Royal Canadian Mounted Police (RCMP), the Correctional Service of Canada, the National Parole Board, Citizenship and Immigration Canada and the Canada Border Services Agency. The Portfolio also manages the Crimes Against Humanity and War Crimes Program.

The **Tax Law Services Portfolio** provides expert legal advice, litigation services, training, drafting services, as well as legal issues coordination and risk management to the Canada Revenue Agency. The Portfolio represents the Crown in all tax matters, including tax assessment and Employment Insurance and Canada Pension Plan appeals to the courts, collection matters, civil law suits and class actions. The Portfolio also works in close collaboration with the CRA as it administers reviews and develops amendments to fiscal legislation.

The **Government-at-large and the Justice Portfolio** consists of three specialized groups within the Department - the Public Law Sector, the Litigation Branch, and the Legislative Services Branch. The Portfolio is a core resource for federal government departments and the government as a whole on highly specialized areas of the law, and on litigation as well as on the drafting, review and publication of legislation and regulations. The Portfolio also carries out the functions assigned to the Minister of Justice as the central authority for Canada under the *Extradition Act* and the *Mutual Legal Assistance in Criminal Matters Act*. As well, the Department's involvement in the Public Security and Anti-Terrorism initiative is funded from the Justice Portfolio.